

06-04-01

PTO/SB/05 (12/97)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No

2807.2.22.28

Total Pages

128

First Named Inventor or Application Identifier

Michael H. Myers et al

Express Mail Label No.

EL751290527US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)2. ☒ Applicant claims small entity status. See 37 CFR 1.27.3. ☒ Specification *Total Pages* **91**
(preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross References to Related Application
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 USC 113) *[Total Sheets]* **32**5. Oath or Declaration *[Total Pages]* **2**

- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in prior application, see 37 CFR 1.63(d)(2)
and 1.33(b).

6. ☐ Incorporation by Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy
of the oath or declaration is supplied under Box 4b is considered
as being part of the disclosure of the accompanying application
and is hereby incorporated by reference therein.7. ☐ Microfiche Computer Program (Appendix)8. Nucleotide and/or Amino Acid Sequence Submission (if
applicable, all necessary)

- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)11. ☐ English Translation Document (if applicable)12. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations13. ☐ Preliminary Amendment14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)15. ☐ Small Entity ☐ Statement filed in prior application,
Statement(s) Status still proper and desired16. ☐ Certified Copy of Priority Document(s)
if foreign priority is claimed17. ☒ Other: Express Mail Certificate

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/810,910

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

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or ☐ Correspondence address below

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Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

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FEE TRANSMITTAL*Note: Effective October 1, 1997.
Patent fees are subject to annual revision.***Complete If Known**

Application Number	
Filing Date	June 1, 2001
First Named Inventor	Michael H. Myers
Group Art Unit	
Examiner Name	
Attorney Docket Number	2807.2.22.28

TOTAL AMOUNT OF PAYMENT \$355.00**METHOD OF PAYMENT (check one)**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number
- Deposit Account Name
- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed:
- ☒ Check ☐ Money Order ☐ Other

FEE CALCULATION**1. FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)**2. CLAIMS**

Total Claims		Extra		Fee from below		Fee Paid
Total Claims	18	-20 =	0	x	9	0
Ind. Claims	2	-3 =	0	x		0
Multiple Dep. Claims			0	x		0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim	
109	80	209	40	Reissue independent claims over original patent	
110	18	210	9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

\$355.00

*Reduced by Basic Filing Fee


SUBTOTAL (3)**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2520	147	2520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1390	218	695	Extension for reply within fourth month	
128	1890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1510	138	1510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - intentional	
141	1240	241	620	Petition to revive - unintentional	
142	1240	242	620	Utility issue fee	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____

Other fee (specify) _____

SUBMITTED BY**Complete (if applicable)**

Typed or Printed Name	Hal D. Baird	Reg. Number	42,284
Signature		Deposit Account User ID	
Date	Jun 1, 2001		

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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: EL751290527US

Date of Deposit: June 1, 2001

I hereby certify that this patent application in the name of Michael H. Myers, Juan Riley, and Clark C. Guest for "REPLICATED-SPECTRUM PHOTONIC TRANSCEIVING," together with thirty-two (32) sheets of drawings; Declaration, Power of Attorney and Petition; transmittal letter; fee transmittal letter; and Check No. 2336 for \$355.00, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,



Hal D. Baird
Reg. No. 42,284
Attorney for Applicant

Date: June 1, 2001

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